

Shegerian & Associates

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December 6, 2024

VIA ECF AND ELECTRONIC MAIL

Hon. Andrew L. Carter
United States District Judge
Southern District of New York
40 Foley Square, Courtroom 435
New York, New York 10007
ALCarterNYSDChambers@nysd.uscourts.g.gov

**Re: *Goncalves Agra v. Massachusetts Institute of Technology, et al;*
*Case No. 1:22-cv-10959***

Dear Judge Carter:

We represent Plaintiff Dr. Karolina Marciniak-Domingues Goncalves Agra (“Plaintiff”) in the above-referenced matter. Pursuant to Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, we write seeking to be relieved as counsel for Plaintiff. As of December 4, 2024, Plaintiff wishes to proceed *pro se* in this action as well as in her action before Judge John P. Cronan Case No. 1:23-cv-10305. This firm seeks no retaining or charging lien in this matter or Case No. 1:23-cv-10305.

Rule 1.4 provides, in relevant part: “An attorney who has appeared as attorney of record for a party may be relieved or displaced only by order of the Court and may not withdraw from a case without leave of the Court granted by order. Such an order may be granted only upon a showing by affidavit or otherwise of satisfactory reasons for withdrawal or displacement and the posture of the case, including its position, if any, on the calendar, and whether or not the attorney is asserting a retaining or charging lien.”¹ Thus, when considering whether to grant a motion to withdraw under Rule 1.4, a court must analyze two factors: the reasons for withdrawal and the impact of the withdrawal on the timing of the proceeding. See, e.g., *Winkfield v. Kirschenbaum & Phillips, P.C.*, No. 12-CV-7424 (JMF), 2013 WL 371673, at *1 (S.D.N.Y. Jan. 29, 2013). With respect to the latter factor, a court must consider “the posture of the case” and “whether the prosecution of the suit is likely to be disrupted by the withdrawal of counsel.” *Whiting v. Lacara*, 187 F.3d 317, 320-21 (2d Cir. 1999) (per curiam) (alteration and internal quotation marks omitted). Plaintiff’s counsel proffers Plaintiff’s written notice to this firm dated December 4, 2024 she will be proceeding *pro se* in both her legal actions pending in this District and provides as **Exhibit A** to this letter motion her signed Notice of Pro Se Appearance dated December 5, 2024.

¹ See Local Civ. R. 1.4.

In sum, this firm respectfully requests based on Plaintiff's wish to proceed *pro se* that Plaintiff's counsel be relieved as attorneys of record in the above-captioned matter.

Thank you for your consideration and courtesy in this matter.

Respectfully submitted,

SHEGERIAN & ASSOCIATES

/s/ Olivia M. Clancy

All counsel of record (*via ECF and email*)

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Dr. Karolina Maciniak -

Domingues Goncalves Agra

Plaintiff(s),

-against-

Center for Brain, Mind, and Machines at

Massachusetts Institute of Technology et al

Defendant(s).

Docket No: 1:23CV 10959() ()

NOTICE OF PRO SE APPEARANCE

I hereby enter an appearance on my own behalf in this action and request:

(please check one option below)

☒ that all future correspondence be mailed to me at the address below, or☐ that all future correspondence be e-mailed to me at the e-mail address below. I have completed the attached Consent to Electronic Service.

I understand that if my address or e-mail address changes, I must immediately notify the Court and all parties.

Dr. Karolina Marciniak - Domingues Goncalves Agra

☒ Plaintiff
☐ Defendant

Name (Last, First, MI)

500 E 63rs Str. Apt 13F New York

New York

10065

Address

City

State

Zip Code

(646) 770-2045

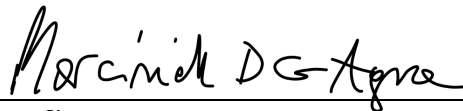
marciniak.kar@gmail.com

Telephone Number

e-mail address

December 5, 2024

Date



Signature